

10/559869

LAP9 Rec'd PCT/PTO 07 DEC 2005

Docket No.: 050193-0210

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of	:	Customer Number: 20277
Yasumichi FUKUDA	:	Confirmation Number: Not yet
assigned	:	
Application No.: Not yet assigned	:	Group Art Unit: Not yet assigned
Filed: December 7, 2005	:	Examiner: Not yet assigned
For: CYCLOPROPYL GROUP SUBSTITUTED OXAZOLIDINONE ANTIBIOTICS AND DERIVATIVES THEREO	:	

**INFORMATION DISCLOSURE STATEMENT**

Honorable Commissioner for Patents and Trademarks  
Washington, D. C. 20231

Sir:

In accordance with the provisions of 37 C.F.R. 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached form PTO-1449. It is respectfully requested that the references be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is being filed with the application and no certification or fee is required.

A copy of the foreign search report is attached for the Examiner's information. Please note this is a PCT application in the entry of the National Phase in the U.S. and copies of the references cited were transmitted by WIPO and are believed to be in the file of the above identified application and readily available to the Examiner. Therefore it is

Not yet assigned


IAP9 Rec'd PCT/PTO 07 DEC 2005

believed that Applicants have met all requirements regarding duty of disclosure under 37 CFR 1.56. Acknowledgement and consideration of these documents are respectfully requested.

A copy of the foreign search report is attached for the Examiner's information. Please note this is a PCT application in the entry of the National Phase in the U.S. Since the Search Report was from the U.S. JPO or EPO search authorities, copies of these references should have been supplied to the USPTO under the trilateral agreement and are believed to be in the file of the above identified application and readily available to the Examiner.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

  
Judith L. Toffenetti  
Registration No. 39,048

600 13<sup>th</sup> Street, N.W.  
Washington, DC 20005-3096  
Phone: 202.756.8000 JLT:aph  
Facsimile: 202.756.8087  
**Date: December 7, 2005**

**Please recognize our Customer No. 20277  
as our correspondence address.**

SHEET 1 OF 1

INFORMATION DISCLOSURE CITATION IN AN APPLICATION  (PTO-1449)				ATTY. DOCKET NO. <b>050193-0210</b>		SERIAL NO. <b>Not yet assigned</b>	
				APPLICANT <b>Yasumichi FUKUDA</b>			
				FILING DATE <b>December 7, 2005</b>		GROUP <b>Not yet assigned</b>	
U.S. PATENT DOCUMENTS							
EXAMINER'S INITIALS	CITE NO.	Document Number Number-Kind Code <sup>2</sup> (if known)		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
		US	5,565,571	10-15-1996	Barbachyn et al.		
		US	5,627,181	5-6-1997	Ridedl Bernd et al.		
		US	2002/161029 A1	10-31-2002	Hlasta et al.		
		US	5,523,403	6-4-1996	Barbachyn et al.		
		US					
		US					
		US					
		US					
		US					
		US					
		US					
		US					
		US					
		US					
FOREIGN PATENT DOCUMENTS							
EXAMINER'S INITIALS	CITE NO.	Foreign Patent Document Country Codes -Number 4 -Kind Codes (if known)		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Figures Appear	Translation Yes No
		WO 02/059116		8-1-2002	Upjohn Co		
		EP 0 352 781		1-31-1990	Du Pont		
		WO 02/051819		7-4-2002	Reddy Research Foundation		
		WO 03/048136		6-12-2003	Kyorin Pharmaceuticals Co Ltd		
		WO 03/027083		4-3-2003	Kyorin Pharmaceuticals Co Ltd		
		WO 01/58885		8-16-2001	Upjohn Co		
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)							
EXAMINER'S INITIALS	CITE NO.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.					
EXAMINER				DATE CONSIDERED			

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered.  
Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.